

## REMARKS

### **Interview Summary**

Applicant appreciates the opportunity to discuss the claims with the Examiner and his SPE on November 28, 2007. At that interview, the Examiner indicated that:

1. "content" was construed to mean any information whatsoever,
2. the *Matsuda*<sup>1</sup> "growth parameter" was information, and
3. therefore the *Matsuda* "growth parameter" was "content".

Applicant disagreed with the expansive definition of "content," since under that definition, it would be difficult to identify anything that was not, in some way, "content." However, in an effort to expedite prosecution, Applicant proposed amending the claim to recite "multimedia content." In doing so, Applicant drew attention to support for such an amendment in paragraph 39 of the application.

The Examiner appeared to agree that the proposed amendment would distinguish over *Matsuda*.

### **Claim amendments**

Applicant amends the independent claims 1, 6, 13, 20, and 21 consistent with the amendments proposed at the interview. Applicant further amends the claims to correct stray typographical errors.

### **Section 102 rejection**

To the extent *Matsuda*'s growth-parameter is regarded as "content," it cannot be regarded as "multi-media content."

Nor would there be any reason to modify *Matsuda* to replace the growth-parameter with multi-media content. The function of the growth-parameter is to instruct a computer system on

---

<sup>1</sup> *Matsuda*, U.S. Patent No. 6,253,167.

Applicant : Christopher J. Dyl  
Serial No. : 10/633,062  
Filed : August 1, 2003  
Page : 8 of 8

Attorney's Docket No.: 19815-015001

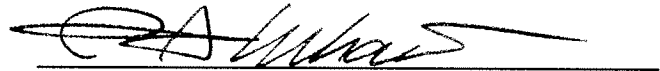
how large a particular virtual life form should be. There would be no reason to use multi-media content to instruct a computer system on how large a particular virtual life form should be.

Accordingly, the amendment distinguishes over *Matsuda* and places the claims in condition for allowance.

Now pending in this application are claims 1-23 of which claims 1, 6, 13, 20, and 21 are independent. No fees are believed to be due in connection with the filing of this response. However, to the extent fees are due, or if a refund is forthcoming, please adjust our deposit account 06-1050 referencing attorney docket "19815-015001."

Respectfully submitted,

Date: December 7, 2003



Faustino A. Lichauco  
Reg. No. 41,942

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906